

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

June 20, 2023

Chief Judge Diane S. Sykes

Nos. 07-23-90020 & 07-23-90021

IN RE COMPLAINTS AGAINST TWO JUDGES

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judges who dismissed and abstained and administratively closed his two cases in which he sought injunctive relief and damages against a municipality, police officers, and the judge involved in his ongoing state criminal proceedings. He challenges the judges' decisions and accuses them of discriminating against him because of his disability and exhibiting hostility and bias in favor of the state and against him as a pro se litigant. Finally, he makes various allegations against the clerk of court for "doing what the judges say" and refusing to "sign summonses."

The challenges to the judges' rulings are not proper grounds for a misconduct complaint. Allegations directly related to the merits of a judge's decisions do not raise an inference of misconduct and must be dismissed. 28 U.S.C. § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The remaining allegations—accusing the judges of prejudice, bias, and discrimination—are wholly unsupported and frivolous. A misconduct complaint must be supported by sufficient facts to raise an inference that misconduct occurred. 28 U.S.C. § 352(b)(1)(A)(iii). Adverse rulings alone are not evidence of prejudice, bias, discrimination, or any other misconduct. And the allegations about the actions of the clerk of court are beyond the purview of the Judicial Conduct and Disability Act. *Id.* § 352(b)(1)(A)(i).

For the foregoing reasons, the complaints are dismissed pursuant to § 352(b)(1)(A)(i), (ii), and (iii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. *Id.* § 352(c); see RULES FOR JUD.-CONDUCT & JUD.-DISABILITY

PROC. r. 11(g)(3). A petition for review must be filed in the clerk's office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.